

REMARKS

Claims 20 and 25-34 are pending. Claims 1-19, 21-24, and 35-36 are currently canceled. Claim 20 is currently amended. Claim 37 is currently added. Support for the amendments can be found in the specification as filed, e.g., at page 4, lines 12-14 and page 5, lines 16-20. No new matter has been entered. Reconsideration of the application and entry of the amendments are respectfully requested.

Claim Objections

Claim 20 has been objected and the following informalities have been corrected as the Examiner suggested, rendering objection moot:

Claim 20, lines 3-4: deleted "each compartment" and added "each of the at least two compartments". Claim 20, line 12: deleted "the compartments" and added "the at least two compartments".

§ 103 Rejections

Claims 20, 25, 27, 31 and 33 are rejected under 35 USC § 103(a) as purportedly being unpatentable over Broyles (US 5,735,437) and in view of Tischlinger (US 3,729,032). Applicants respectfully request withdrawal of the rejection, as a *prima facie* case of obviousness has not been established.

To put forth a *prima facie* case of obviousness, the Patent Office must show, *inter alia*, all elements of the claimed invention. Broyles and Tischlinger have not been shown to teach or suggest, for example, a mixer for mixing the material components.

Thus, a *prima facie* case of obviousness has not been met and thus cannot render claim 20 or claims 25, 27, 31 and 33 depending from claim 20 obvious. Applicants do not comment further on claims depending from claim 20, although Applicants do not acquiesce with the assertions regarding those claims, as these are patentable with independent claim 20. Accordingly, Applicants respectfully request withdrawal of the rejection under 35 U.S.C. § 103.

Claims 20, 25, 27, 31 and 33 are rejected under 35 U.S.C. 103(a) as purportedly being unpatentable over Broyles and in view of Nilson (US4,141,474). Applicants respectfully request withdrawal of the rejection, as a *prima facie* case of obviousness has not been established.

Nilson has not been shown to cure the deficiencies of Broyles discussed above and, e.g., hasn't been shown to teach or suggest a mixer for mixing the material components. Thus, the cited references, individually or in combination, cannot render the claims obvious. Applicants respectfully request withdrawal of the rejection under 35 U.S.C. § 103.

Claims 20, 25, 27, 31 and 33 are rejected under 35 U.S.C. 103(a) as purportedly being unpatentable over Broyles and in view of Schlicksupp (US 2,628,004). Applicants respectfully request withdrawal of the rejection, as a *prima facie* case of obviousness has not been established.

Schlicksupp has not been shown to cure the deficiencies of Broyles discussed above and, e.g., hasn't been shown to teach or suggest a mixer for mixing the material components. Thus, the cited references, individually or in combination, cannot render the claims obvious. Applicants respectfully request withdrawal of the rejection under 35 U.S.C. § 103.

Claims 20, 25, 27, 31 and 33 are rejected under 35 U.S.C. 103(a) as purportedly being unpatentable over Broyles and in view of Dark (US 6,616,012 B2). Applicants respectfully request withdrawal of the rejection, as a *prima facie* case of obviousness has not been established.

Dark has not been shown to cure the deficiencies of Broyles discussed above and, e.g., hasn't been shown to teach or suggest a mixer for mixing the material components. Thus, the cited references, individually or in combination, cannot render the claims obvious. Applicants respectfully request withdrawal of the rejection under 35 U.S.C. § 103.

Claims 20, 25, and 27 are rejected under 35 U.S.C. 103(a) as purportedly being unpatentable over Petersen (US 2004/0024353 A1) in view of Tischlinger. Applicants respectfully request withdrawal of the rejection, as a *prima facie* case of obviousness has not been established.

Referring to specifically to the Office Action, elements 18 and 16 of Petersen are pointed to as being the two compartments of the cartridge. However, neither the cited elements of Petersen

nor any other elements thereof teach or suggest the two compartments of the cartridge. Elements 18 and 16 of Petersen are *two single syringes* of a multi-syringe applicator, instead of a cartridge having two compartments. *See* Petersen para 0030. Furthermore, Tischlinger has not been shown to cure the deficiencies of Petersen, e.g., hasn't been shown to teach or suggest a cartridge having two compartments.

Thus, because the cited references, individually or in combination, haven't been shown to teach or suggest all features of independent claim 20, they do not render claim 20 or claims 25 and 27 depending therefrom obvious. Applicants do not comment further on issues relating to the other features of claim 1 or the claims depending from claim 20, although Applicants do not acquiesce with the assertions regarding those features or claims. Applicants respectfully request withdrawal of the rejection.

Claims 20, 25, and 27 are rejected under 35 U.S.C. 103(a) as purportedly being unpatentable over Petersen and in view of Nilson.

Nilson has not been shown to cure the deficiencies of Petersen discussed above and, e.g., hasn't been shown to teach or suggest a cartridge having two compartments. Thus, the cited references, individually or in combination, cannot render the claims obvious. Applicants respectfully request withdrawal of the rejection under 35 U.S.C. § 103.

Claims 20, 25, and 27 are rejected under 35 U.S.C. 103(a) as purportedly being unpatentable over Petersen and in view of Schlicksupp.

Schlicksupp has not been shown to cure the deficiencies of Petersen discussed above and, e.g., hasn't been shown to teach or suggest a cartridge having two compartments. Thus, the cited references, individually or in combination, cannot render the claims obvious. Applicants respectfully request withdrawal of the rejection under 35 U.S.C. § 103.

Claims 20, 25, and 27 are rejected under 35 U.S.C. 103(a) as purportedly being unpatentable over Petersen and in view of Dark.

Dark has not been shown to cure the deficiencies of Petersen discussed above and, e.g., hasn't been shown to teach or suggest a cartridge having two compartments. Thus, the cited

references, individually or in combination, cannot render the claims obvious. Applicants respectfully request withdrawal of the rejection under 35 U.S.C. § 103.

Claim 20 is rejected under 35 U.S.C. 103(a) as purportedly being unpatentable over Eptein (US 6,007,515) in view of Tischlinger.

Eptein and Tischlinger have not been shown to teach or suggest a mixer for mixing the material components.

Thus, a *prima facie* case of obviousness has not been met and thus cannot render claim 20 obvious. Applicants do not comment further on claims depending from claim 20, although Applicants do not acquiesce with the assertions regarding those claims, as these are patentable with independent claim 20. Accordingly, Applicants respectfully request withdrawal of the rejection under 35 U.S.C. § 103.

Claim 20 is rejected under 35 U.S.C. 103(a) as purportedly being unpatentable over Epstein and in view of Nilson.

Nilson has not been shown to cure the deficiencies of Epstein discussed above and, e.g., hasn't been shown to teach or suggest a mixer for mixing the material components. Thus, the cited references, individually or in combination, cannot render the claims obvious. Applicants respectfully request withdrawal of the rejection under 35 U.S.C. § 103.

Claim 20 is rejected under 35 U.S.C. 103(a) as purportedly being unpatentable over Epstein and in view of Schlicksupp.

Schlicksupp has not been shown to cure the deficiencies of Epstein discussed above and, e.g., hasn't been shown to teach or suggest a mixer for mixing the material components. Thus, the cited references, individually or in combination, cannot render the claims obvious. Applicants respectfully request withdrawal of the rejection under 35 U.S.C. § 103.

Claim 20 is rejected under 35 U.S.C. 103(a) as purportedly being unpatentable over Epstein and in view of Dark.

Dark has not been shown to cure the deficiencies of Epstein discussed above and, e.g., hasn't been shown to teach or suggest a mixer for mixing the material components. Thus, the cited references, individually or in combination, cannot render the claims obvious. Applicants respectfully request withdrawal of the rejection under 35 U.S.C. § 103.

Claim 26 is rejected under 35 U.S.C. 103(a) as purportedly being unpatentable over Epstein, in view of Tischlinger, and further in view of Lokhandwala.

Lokhandwala has not been shown to cure the deficiencies of Epstein and Tischlinger discussed above and, e.g., hasn't been shown to teach or suggest a mixer for mixing the material components. Thus, the cited references, individually or in combination, cannot render the claims obvious. Applicants respectfully request withdrawal of the rejection under 35 U.S.C. § 103.

Claim 26 is rejected under 35 U.S.C. 103(a) as purportedly being unpatentable over Epstein, in view of Nilson, and further in view of Lokhandwala.

As discussed above, the Patent Office fails to show that the cited references, individually or in combination, teach or suggest all elements of the claimed invention, e.g., a mixer for mixing the material components. Thus, the cited references, individually or in combination, cannot render the claims obvious. Applicants respectfully request withdrawal of the rejection under 35 U.S.C. § 103.

Claim 26 is rejected under 35 U.S.C. 103(a) as purportedly being unpatentable over Epstein, in view of Schlicksupp, and further in view of Lokhandwala.

As discussed above, the Patent Office fails to show that the cited references, individually or in combination, teach or suggest all elements of the claimed invention, e.g., a mixer for mixing the material components. Thus, the cited references, individually or in combination, cannot render the claims obvious. Applicants respectfully request withdrawal of the rejection under 35 U.S.C. § 103.

Claims 28-30 are rejected under 35 U.S.C. 103(a) as purportedly being unpatentable over Petersen, in view of Tischlinger, and further in view of Fukui (US 6,544,233 B1).

Fukui has not been shown to cure the deficiencies of Petersen and Tischlinger discussed above and, e.g., hasn't been shown to teach or suggest a cartridge having two compartments. Thus, the cited references, individually or in combination, cannot render the claims obvious. Applicants respectfully request withdrawal of the rejection under 35 U.S.C. § 103.

Claims 28-30 are rejected under 35 U.S.C. 103(a) as purportedly being unpatentable over Petersen, in view of Nilson, and further in view of Fukui.

As discussed above, the Patent Office fails to show that the cited references, individually or in combination, teach or suggest all elements of the claimed invention, e.g., a cartridge having two compartments. Thus, the cited references, individually or in combination, cannot render the claims obvious. Applicants respectfully request withdrawal of the rejection under 35 U.S.C. § 103.

Claims 28-30 are rejected under 35 U.S.C. 103(a) as purportedly being unpatentable over Petersen, in view of Schlicksupp, and further in view of Fukui.

As discussed above, the Patent Office fails to show that the cited references, individually or in combination, teach or suggest all elements of the claimed invention, e.g., a cartridge having two compartments. Thus, the cited references, individually or in combination, cannot render the claims obvious. Applicants respectfully request withdrawal of the rejection under 35 U.S.C. § 103.

Claims 28-30 are rejected under 35 U.S.C. 103(a) as purportedly being unpatentable over Petersen, in view of Dark, and further in view of Fukui.

As discussed above, the Patent Office fails to show that the cited references, individually or in combination, teach or suggest all elements of the claimed invention, e.g., a cartridge having two compartments. Thus, the cited references, individually or in combination, cannot render the claims obvious. Applicants respectfully request withdrawal of the rejection under 35 U.S.C. § 103.

Claim 32 is rejected under 35 U.S.C. 103(a) as purportedly being unpatentable over Broyles, in view of Tischlinger, and further in view of Simonton (US 2004/0072123).

Simonton has not been shown to cure the deficiencies of Broyles and Tischlinger discussed above and, e.g., hasn't been shown to teach or suggest a mixer for mixing the material

components. Thus, the cited references, individually or in combination, cannot render the claims obvious. Applicants respectfully request withdrawal of the rejection under 35 U.S.C. § 103.

Claim 32 is rejected under 35 U.S.C. 103(a) as purportedly being unpatentable over Broyles, in view of Nilson, and further in view of Simonton.

As discussed above, the Patent Office fails to show that the cited references, individually or in combination, teach or suggest all elements of the claimed invention, e.g., a mixer for mixing the material components. Thus, the cited references, individually or in combination, cannot render the claims obvious. Applicants respectfully request withdrawal of the rejection under 35 U.S.C. § 103.

Claim 32 is rejected under 35 U.S.C. 103(a) as purportedly being unpatentable over Broyles, in view of Schlicksupp, and further in view of Simonton.

As discussed above, the Patent Office fails to show that the cited references, individually or in combination, teach or suggest all elements of the claimed invention, e.g., a mixer for mixing the material components. Thus, the cited references, individually or in combination, cannot render the claims obvious. Applicants respectfully request withdrawal of the rejection under 35 U.S.C. § 103.

Claim 32 is rejected under 35 U.S.C. 103(a) as purportedly being unpatentable over Broyles, in view of Dark, and further in view of Simonton.

As discussed above, the Patent Office fails to show that the cited references, individually or in combination, teach or suggest all elements of the claimed invention, e.g., a mixer for mixing the material components. Thus, the cited references, individually or in combination, cannot render the claims obvious. Applicants respectfully request withdrawal of the rejection under 35 U.S.C. § 103.

Claim 34 is rejected under 35 U.S.C. 103(a) as purportedly being unpatentable over Broyles, in view of Tischlinger, and further in view of Simonton, and further in view of Ferguson (US6,264,619).

Ferguson has not been shown to cure the deficiencies of Broyles, Tischlinger, and Simonton discussed above and, e.g., hasn't been shown to teach or suggest a mixer for mixing the material components. Thus, the cited references, individually or in combination, cannot render the claims obvious. Applicants respectfully request withdrawal of the rejection under 35 U.S.C. § 103.

Claim 34 is rejected under 35 U.S.C. 103(a) as purportedly being unpatentable over Broyles, in view of Nilson, and further in view of Simonton, and further in view of Ferguson.

As discussed above, the Patent Office fails to show that the cited references, individually or in combination, teach or suggest all elements of the claimed invention, e.g., a mixer for mixing the material components. Thus, the cited references, individually or in combination, cannot render the claims obvious. Applicants respectfully request withdrawal of the rejection under 35 U.S.C. § 103.

Claim 34 is rejected under 35 U.S.C. 103(a) as purportedly being unpatentable over Broyles, in view of Schlicksupp, further in view of Simonton, and further in view of Ferguson.

As discussed above, the Patent Office fails to show that the cited references, individually or in combination, teach or suggest all elements of the claimed invention, e.g., a mixer for mixing the material components. Thus, the cited references, individually or in combination, cannot render the claims obvious. Applicants respectfully request withdrawal of the rejection under 35 U.S.C. § 103.

Claim 34 is rejected under 35 U.S.C. 103(a) as purportedly being unpatentable over Broyles, in view of Dark, further in view of Simonton, and further in view of Ferguson.

As discussed above, the Patent Office fails to show that the cited references, individually or in combination, teach or suggest all elements of the claimed invention, e.g., a mixer for mixing the material components. Thus, the cited references, individually or in combination, cannot render the claims obvious. Applicants respectfully request withdrawal of the rejection under 35 U.S.C. § 103.

Conclusion

In view of the foregoing, it is submitted that this application is in condition for allowance. Favorable consideration and allowance of the application are respectfully requested. If a discussion with the Applicants' representative may be helpful in resolving any remaining matters, the Examiner is invited to contact the undersigned at 651-737-2325.

Respectfully submitted,

17-May-2012

Date

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